

HAND CARRY



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: P. RUBIN et al. Confirmation No.: 2816
Serial No.: 10/075,617 Art Unit: 1614
Filed: February 15, 2002 Examiner: R. Cook
For: METHODS FOR TREATING Attorney Docket No.: 4821-468
SLEEP APNEA AND SLEEP
INDUCED APNEA (as
amended)

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Commissioner for Patents
P.O. Box 1450
Mail Stop AF
Alexandria, VA 22313-1450
Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated June 5, 2003 of the Primary Examiner finally rejecting claims 55-64 and 71 of the above-identified application.

The item(s) checked below are appropriate:

1. An extension of time for responding to the final rejection for month(s):
 was filed on
 is submitted herewith.
2. A timely response to the final rejection has been filed.
3. A fee in the amount of \$330.00 is:
 Required.
 Not required (Fee paid in prior appeal).
4. Applicant has qualified for the 50% reduction in fee for an independent inventor, non-profit organization or small business concern and a fee in the amount of \$165.00 is:
 Required.
 Not required (Fee paid in prior appeal).
5. Please charge the required fee, if any, to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

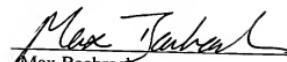
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Respectfully submitted,

Date: November 21, 2003


Max Bachrach

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(Reg. No.)

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